

NOTICE OF EMERGENCY REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. §§ 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.08 F, Closed Area No. 34, Stockton Springs, promulgated on January 15, 2004, is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.08 F, Closed Area No. 34, Stockton Harbor, Searsport and Stockton Springs

Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of Stockton Harbor north of a line beginning at the prominent point on the GAC Chemical Corp. property, Searsport, extending northeast to a red painted post located on the prominent unnamed point southwest of the causeway to Cape Jellison, Stockton Springs. This area is classified restricted and requires a special MDMR permit.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: September 10, 2004

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BANGOR DAILY NEWS
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STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.08 F, Closed Area No. 34, Stockton Springs, promulgated on January 15, 2004 and enacts a new regulation. This new regulation reduces the size of the open area by closing Stockton Harbor for shellfish harvest.

Department personnel have surveyed and sampled the waters in this area and have determined that this new closed area is no longer safe for shellfish harvest. This closed area is subject to intermittent microbiological pollution and, consequently, the harvest of shellfish is prohibited to protect the public health.



DAVID ETNIER
DEPUTY COMMISSIONER



Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area

C 34 Stockton Springs

9/10/04

